1945

File No. B Rent Restriction/45

Legal Department

B **BRANCH**

Subject:—

A Bill to the Bombay Rent Restriction Act 1939.

(Extending the term of ---- for one year ---)

Bom V, 1945

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File No. B Rent Restriction/45

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C O N T E N T S.

Legal Department File No. B.hent Restriction/45

Sr No.	R.I/-	O.No.	Subject	Pages
			A Bill amend Bombay Rent Restriction Act, 1939	
1	U.R.To G.G.No.8804 dt. 14-12-44		Draft Bill.	1-5
	2.L.D.letter No.1564 dt.23.2.45		Requesting G.G's assent	7-8
	3.R.I.No.2284 Dt.14-3-45		G.G.'s Assent.	9
	4.G.R.L.D.No.2460 dt.29.3.45		Publication of Bom.Act. No V of 1945	11-14
5.	-		Governor's Bill No.IV of 1945.	15-20
6	-		Bom.Act no.V of 1945	22-31

Office of the R.L.A.

The draft Bill at page 3 and the draft Statement at page 5 are in order.

2. Under executive insturctions, the Bill requires the previous concurrence of the Governor General before enactment. (Please see Secretary to the Governor's Circular No.201(12), dated 18th December 1939).

3. The subject-matter of the Bill falls under entires Nos 2 & 21 in List II and entries Nos.4,8,10 and 15 in List III of the Seventh Schedule to the Government of India Act,1935. As section 5.10 and 11 of the Bombay Rent Restriction Act, 1939, are repugnant to the provisions of the existing Indian law contained in sections 108(1)and108(q) of the Transfer of Property Act, 1882,and as section 13 is repugnant to the provisions of the exising Indian law contained in Chapter VIII of the presidency Small Cause Courts Act, 1882,and as the Bill is intended to extend the life of the Bombay Rent Restriction Act,1939, for a further period of one years, the Bill will have to be reserved for the consideration of the Governor-General with reference to paragraph(2)of the Proclamation and section 107(2)of theGovernment of India Act,1935.

Sd/-
14.12.44
Remembrancer of Legal Affairs.

M.R.D.
12-7-56
C.4

U.R. to G.D., No.8834,dated the 14th December. 1944

STATEMENT

The extended term of the Bombay Rent Restriction Act, of 1939, which restricts the increase of rents of premises not exceeding Rs.80 per mensem, expires on 31st March 1945. Government considers it necessary to continue the restriction and proposes to extend the term of the Act for a further period of one year from 1st April 1945 and to amend the Act accordingly.

M.R.D.
12-7-56
C.4

No.1564 7

IMMEDIATE. Legal Department,
Bombay Castle, 23rd February 1945.

From

P.N. Moos, Esquire, Bar-at-Law, I.C.S.,
Secretary to the Government of Bombay;

To

The Secretary to the Governor of Bombay.

Subject: A Bill to amend the Bombay Rent Restriction Act,1939.

Sir,

With reference to your Memorandum No.201(57),dated the 30th January 1945 addressed to the General Department, on the above subject, I am directed to forward herewith a copy of the Bill to amend the Bombay Rent Restriction Act, 1939 Act, 1939, prepared by His Excellency the Governor of Bombay under paragraph(2) of the Proclamation dated the 4th November 1939 issued by him under section 93 of the Government of India Act, 1935.

2. The subject-matter of the Bill falls under entires Nos. 2 and 21 inList II and entries Nos. 4,8,10 and 15 in List III of the Seventh Schedule to the Government of India Act,1935. As sections 5,10 and 11 of the Bombay Rent Restriction Act, 1939, are repugnant to the provisions of the existing Indian law contained in sections 108(1)and 109(q) of the Transfer of property Act,1882, and as section 13 is repugnant to the provisions of the existing Indian law contained in Chapter VIII of the Presidency Small Causes Courts, Act, and as the Bill is intended to extend the life of the Bombay Rent Restriction Act, 1939, for a further period of one year, the Bill will have to be reserved for the consideration of the Governor-General with reference to paragraph(2)of the Proclamation and section 107(2)of the Government of India Act, 1935.

3. I also forward herewith six spare copies of the Bill, out of which five copies are for transmission to the Secretary to the Governor-General (P

4. It is requested that His Eccellency the Governor-General may be moved to give his assent to the Bill so as to enable this Government to publish the assent before 31st March 1945 as the old Act expires on that day and the new Act must come into force on that date.

I have the honour to be,
Sir,
Bour most obedient servent,

Sd/-P.N.M.
23-2-45
Secretary to the Government of Bombay
Legal Department.

Through

The Secretary to the Government of Bombay,
General Department.

M.R.D.
12-7-[illegible]
C.4

No.201(57)
Office of the Governor's Secretary
Government House,
Bombay.14th March 1945.

From
D.Symington, Esquire, CIE,ICS.
Secretary to the Governorxx of Bombay,

To.
The Secretary to Government,
Legal Department Bombay.

Subject:- A Bill to amend the Bombay Rent Restriction Act, 1939.

Sir,

With reference to your letter No.1564,dated 23rd February 1945, on the above subject, I am directed to forward herewith the copy of the Bill to amend the Bombay Renet Restriction Act, 1939, with His Excellency the Governor-General's assent signified thereon.

Your obedient servant,

Sd/-
for Secretary to the Governor of Bombay.

M.R.D.
12-6-56
C4

Publication of the Bombay Rent Restriction(Amendment)Act.1945.

GOVERNMENT OF BOMBAY.
Legal Department.
Resolution No.2460
Bombay Castle, 29 thx March 1945.

Letter to the Secretary to the Governor, No.1564, dated the 23rd February 1945.

Letter from the Secretary to the Governor,No.201(57), dated the 14th March 1945.

"With reference to your letter No.1564,dated 23rd February 1945, on the above subject, I am directed to forward herewith the copy of the Bill to amend the Bombay Rent Restriction Act, 1939, with His Excellency the Governor-General's assent signified thereon."

RESOLUTION;- The law should be published as Bombay Act.No. V of 1945, in the Bombay Government Gazette dated the 29th March 1945.

2. The Act should be translated into Marathim,Gujarati, Kannada and Hindustani(in Urdu and Devnagari Scripts) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the General Department.

By order of the Governor of Bombay,
Sd/- P.N.MOSS,
For(Secretary to Government.

To
The Manager Government Central Press,Bombay(with a copy of the Act and with a request that 15 Gazette copies of the Act may be forwared to the Legal Department),
The General Department,
*The Oriental Translator to Government,)with
Secretary to the Bombay Legislative Council,)a copy
The Secretary to the Bombay Legislative Assembly,) of the Act.

*With five extra copies.

M.R.D.
12-7-56
C.4